

Department of
Veterans Affairs

Memorandum

MAR 20 1996

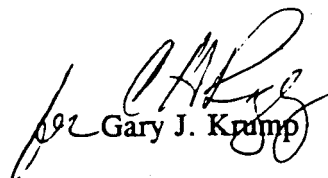
Deputy Assistant Secretary for Acquisition and Materiel Management (95A)

Class Deviation from Department of Veterans Affairs Acquisition Regulation (VAAR)

Deputy Secretary (001)

THRU: Assistant Secretary for Management (004) ^{SSS}

1. In accordance with Department of Veterans Affairs Acquisition Regulation (VAAR) 801.404, Class deviations, your approval is requested to delete VAAR Subparagraphs 807.302(a), General; 807.303(b), Determining availability of private commercial sources; 807.303-70, Determining responsibility and intent; 807.304-72, Requirements for second commercial sources for A-76 solicitations; 852.207-71, Notice of cost comparison (OCT 1988); and 852.207-72, Cost comparison criteria - VA medical facilities (OCT 1988). This deviation is requested due to enactment of Public Law 103-446, which suspended paragraphs (1) through (6) of 38 USC 8110(c), as they pertain to Office of Management and Budget (OMB) Circular A-76 (A-76) solicitations, for a 5 year period until October 1, 1999.
2. Currently, the above noted VAAR subparagraphs require at least two responsible bidders on VA A-76 solicitations and allow contract award only if the low bidder's price is at least 15 percent less than VA's price. Public Law 103-446 suspended these provisions and VA's limited exemptions to the full requirements of OMB Circular A-76.
3. A class deviation is requested to eliminate the discrepancies between the VAAR and Public Law 103-446. If approved, this class deviation will ensure that the VAAR conforms to the current requirements of public law. These provisions will be reinstated in the VAAR in 1999, if required.
4. Your favorable consideration of this request will be appreciated.


for Gary J. Krump

Attachment

APPROVED/DISAPPROVED



Hershel W. Gober
Deputy Secretary

MAR 29 1996

Date